

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

MONDAY, THE THIRTIETH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

and

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT APPEAL NO : 1304 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 31/10/2003 in WP NO : 13103 OF 2002 on the file of the High Court.)

Between:

1 Chandragir Shanker, S/o Rajaiah, R/o Singareni Quarters at Bhoopalapally,

Warangal District

2 Soora Rama Swamy, S/o Papaiah, R/o Singareni Quarters at Bhoopalapally,

Warangal District

3 Gummadi Rayamallu, S/o Rajaiah, R/o Singareni Quarters at

Bhoopalapally, Warangal District

..... APPELLANT(S)

AND

1 The Singareni Collieries Co.Ltd.,rep.by its Project Officer, Bhoopalapally,
Warangal District

2 Yellaboina Komuraiah

3 Vangapandla Rajaiah

4 Bogam Rayalingu

5 P.Chokka Rao

6 Dayyala Shanker

7 Odela Mallaiah,

8 Erra Narayana

(Res.2 to 8 are not necessary parties)

.....RESPONDENT(S)

Counsel for the Appellant:MR.KOWTURU VINAYA KUMAR, Advocate.

Counsel for the Respondent No.1: MR.K.SRINIVASAMURTHY, Advocate.

The Court at the stage of admission, made the following :

JUDGMENT : (Per Sri Bilal Nazki, J).

Heard learned Counsel for the parties. With their consent, the Appeal is disposed of at this stage.

It is not disputed by the appellants that in terms of an agreement, the writ petitioners were liable to pay rent of the quarters, which they had occupied unauthorisedly, with penalty. Petitioners filed Writ Petition, which is dismissed by the learned Single Judge of this Court, relying on earlier judgments of this Court and also relying on the agreement between the parties.

Now before this Court, the appellants only expressed the grievance that the amount that is being collected from the Writ Petitioners by way of instalments towards the unpaid penal rent, is excessive and the amount of instalments could be reduced keeping in view the length of service of the Writ Petitioners. We feel that the interest of justice would be met if the respondents are asked to make out an arrangement by which, reasonable amounts are deducted from the salaries of the Writ Petitioners, who are now also enjoying the quarters in their own right.

Therefore, the Writ Appeal is disposed of, directing the respondents to re-examine each case and fix the amount to be deducted from the salaries of the Writ Petitioners, keeping in view all relevant rules and also keeping in view the length of service of the concerned petitioners. No costs.

(BILAL NAZKI, J)

30th August, 2004.

(S.ANANDA REDDY, J)

ajr.

To

1 The Singareni Collieries Co.Ltd.,rep.by its Project Officer, Bhoopalapally,
Warangal District

2 Two C.D. copies.